

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:09-CR-142
v.)	
)	COLLIER / LEE
)	
VINCENT HAWKINS)	
)	

ORDER OF DETENTION PENDING TRIAL

Defendant VINCENT HAWKINS appeared for a hearing before the undersigned on October 8, 2009, in accordance with Rule 46(c) of the Federal Rules of Criminal Procedure and 18 U.S.C. §§ 3142 and 3148 on the Petition for Action on Conditions of Pretrial Release [Doc. 42]. Those present for the hearing included:

- (1) AUSA Terra Bay for the USA.
- (2) Defendant.
- (3) Attorney Steven G. Moore for Defendant.
- (4) U.S. Probation Services Officer David Croft.
- (5) Deputy Clerk Russell Eslinger.
- (6) Court Reporter Jeannie Boleman.

After being sworn in due form of law, Defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined Defendant had been provided with a copy of the Petition for Action on Conditions of Pretrial Release and had the opportunity of reviewing that document with his attorney. The government moved that Defendant's release be revoked and he be detained without bail. Defendant was advised of his right to a detention hearing and said hearing was held. The Government presented the testimony of Officer Croft, who testified consistent with the facts set forth in the petition and recommended detention. Attorney Moore cross-examined Officer Croft. Defendant testified on his own behalf and was cross-examined by AUSA Bay.

Based on the evidence, I find by clear and convincing evidence that Defendant has violated his conditions of release, specifically, condition 7(p). Defendant's bond conditions are revoked and Defendant is ordered into custody to be detained without bail pending further court proceedings because Defendant is determined to be a danger to society based on his violations of his bond conditions, the rebuttal presumption, and Defendant's continuing drug use. Because there is no

condition or combination of conditions of release that will assure Defendant will not pose a danger to the safety of any other person or the community at this time, and because Defendant is unlikely to abide by any condition or combination of conditions of release, Defendant's release is revoked and he shall be held in custody by the United States Marshal and produced for further proceedings as appropriate.

ENTER.

s/ *Susan K. Lee*

SUSAN K. LEE

UNITED STATES MAGISTRATE JUDGE